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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CRL.REV.P. 1012/2019 & CRL.M.A.36646-47/2019  
SH. DEEPAK SHARMA ..... Petitioner  
Through: Mr. Vipin Bhaskar & Mr.  
Chhavi Sood, Advocates

versus

NEO INFRATECH PVT. LTD. & ANR. .... Respondents  
Through

**CORAM:**  
**HON'BLE MR. JUSTICE CHANDER SHEKHAR**

**ORDER**  
% **23.09.2019**

1. Learned counsel for the petitioner submitted that the respondent No.2 had settled the matter before the Delhi Mediation Centre, Tis Hazari Courts, Delhi, in terms whereof the respondent No.2 had given a cheque to the petitioner, however, the same was dishonoured. Learned counsel for the petitioner also submitted that the Trial Court was bound to follow the settlement.

2. Learned counsel for the petitioner further submitted that, though the Trial Court took notice of the settlement between the parties, but later on, vide order dated 22.8.2019, ordered for issuance of notice under Section 251 of the Code of Criminal Procedure, 1973 to respondent No.2.

3. Learned counsel for the petitioner has relied on the judgment of this Court in the matter of *Dayawati v. Yogesh Kumar Gosain*, 243(2017) DLT 117(DB).

4. In view of the above, learned counsel for the petitioner seeks permission to withdraw the petition, with liberty to move an application to bring all these facts before the Trial Court so that the Trial Court may follow the aforesaid judgment for passing appropriate orders.

5. Accordingly, the petition is dismissed as withdrawn, with liberty as prayed. Pending applications are also dismissed.

**CHANDER SHEKHAR, J**

**SEPTEMBER 23, 2019**

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